

REMARKS

In the application claims 7-10 and 13-27 remain pending. Claims 1-6, 11, and 12 have been canceled. Certain of the pending claims have been amended to more distinctly recite what is regarded as the invention. Support for the amendments may be found in the specification and figures as originally filed. No new matter has been added.

The pending claims presently stand rejected as being anticipated by Daum (U.S. 2003/0046377) or as being rendered obvious by Daum as further modified by one or more of Allport (U.S. 6,104,334), Ketcham (U.S. 6,195,589), Kolawa (U.S. 6,236,974), and Amro.

The reconsideration of the rejection of the claims is respectfully requested.

As concerns the rejection of the claims based upon Daum alone, it is respectfully submitted that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. In this regard, the identical invention must be shown in as complete detail as is contained in the claim and, furthermore, the elements must be arranged as required by the claim. Since Daum cannot be said to describe each and every element in the exact manner as set forth in the claims, it is respectfully submitted that the rejection under 35 U.S.C. § 102 must be withdrawn.

Turning now to Daum, Daum discloses a system in which a diagnostic interface (110) is placed into direct communication with an appliance (130) to thereby allow an operator to communicate directly with the appliance (130), via a local area network, for the purpose of allowing the operator to diagnose and service the appliance (130). In Daum, since the diagnostic interface (110) is placed into direct communication with the appliance (130) to thereby retrieve from the appliance (130) data for use in servicing the appliance it would be unnecessary for the diagnostic interface (130) to communicate to the appliance (130) data that functions to identify

the appliance (130) and, furthermore, it would be unnecessary for the appliance (130) to use the data that functions to identify the appliance to retrieve diagnostic information, let alone an electronic document having instructions for operating the appliance (130), as it is inherent that the appliance (130) already knows its own identity and stores only information relevant to its own operation. Within Daum it is not suggested nor is it inferred that the appliance (130) stores diagnostic information for any other appliances which would then require that the diagnostic interface (110) inform the appliance (130) as to which appliance relevant information is to be retrieved. While it is noted that Daum further discloses that the diagnostic interface (110) may communicate with a remote system (140) to receive appliance diagnostic information, programs, upgrade messages, and the like, Daum nevertheless fails to disclose, teach, or suggest that any information that functions to identify an appliance is uploaded to the remote system (140) to thereby communicate to the remote system (140) which diagnostic information, programs, upgrade messages, and the like are to be downloaded to the diagnostic interface (110).

From the foregoing it will be appreciated that Daum cannot be said to disclose, teach, or suggest each and every element set forth in the claims as is required to maintain the rejection under 35 U.S.C. § 102. Among other things, Daum fails to disclose, teach, or suggest uploading data that functions to identify a consumer appliance from the hand-held device via a wide area network to a Web server located remotely from the consumer appliance where the Web server uses the data to retrieve an electronic document comprising human-readable information in a form for instructing a consumer how to interact with one or more controls of the consumer appliance for the purpose of operating the consumer appliance. Furthermore, Daum fails to disclose, teach, or suggest a browser application having instructions for reading from memory data that functions to identify the make of the consumer appliance and for retrieving via a wide

area network connection an electronic document comprising human-readable information in a form for instructing a consumer how to interact with one or more controls of the consumer appliance for the purpose of operating the consumer appliance which is located at a Web server accessed using a wide area network address which is mapped within the hand-held device to the data that functions to identify the make of the consumer appliance. Therefore, for at least these reasons, it is respectfully submitted that the rejection under 35 U.S.C. § 102 must be withdrawn.

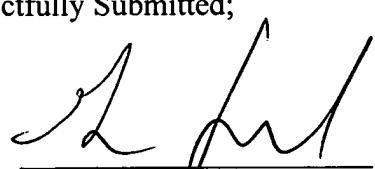
It is further respectfully submitted that there would be no motivation to modify Daum to arrive at the invention claimed. Rather, the purpose of the system disclosed within Daum, namely, to allow an operator to service an appliance, is best served by maintaining the direct connectivity between the diagnostic interface and that single appliance. Accordingly, since no motivation exists for modifying Daum, it is respectfully submitted that the rejection under 35 U.S.C. § 103 must be withdrawn.

Conclusion

It is respectfully submitted that the application is in good and proper form for allowance. Such action of the part of the Examiner is respectfully requested.

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Respectfully Submitted;

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